

House Bill 1441 (AS PASSED HOUSE AND SENATE)

By: Representative Smith of the 168<sup>th</sup>

A BILL TO BE ENTITLED  
AN ACT

1 To provide for an advisory referendum election to be held in Bacon County for the purpose  
2 of ascertaining whether the voters of Bacon County desire to continue to elect the  
3 chairperson of the board of Education of Bacon County by a majority vote of the people of  
4 Bacon County or desire to change the manner in which the chairperson of the board of  
5 education is elected by amending an Act providing for the election of the board of education  
6 of Bacon County, approved February 20, 1976 (Ga. L. 1976, p. 2713), as amended,  
7 particularly by an Act approved March 28, 1985 (Ga. L. 1985, p. 4823), and by an Act  
8 approved May 16, 2007 (Ga. L. 2007, p. 3707), so as to provide for the appointment of the  
9 chairman to the board by the members of the board; to provide for related matters; to provide  
10 an effective date; to repeal conflicting laws; and for other purposes.

11 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

12 **SECTION 1.**

13 It is the purpose of this Act to provide for an advisory referendum within Bacon County to  
14 determine if the voters of Bacon County desire to continue the Act that allows the  
15 chairperson of the board of education of Bacon County to be elected by a majority vote of  
16 the people.

17 **SECTION 2.**

18 (a) Unless prohibited by the federal Voting Rights Act of 1965, as amended, the election  
19 superintendent of Bacon County shall call and conduct an advisory referendum as provided  
20 in this section for the purpose of submitting a question to the electors Bacon County to  
21 advise if the voters desire to continue the Act that allows the chairperson of the board of  
22 education of Bacon County to be elected by a majority vote of the people. The  
23 superintendent shall conduct the election on the date of the 2008 November general  
24 election and shall issue the call and conduct that election as provided by general law. The  
25 superintendent shall cause the date and purpose of the election to be published once a week

for two weeks immediately preceding the date thereof in the official organ of Bacon County. The ballot shall have written or printed thereon the words:

"( ) YES Shall the Act be continued that allows the chairperson of the board of  
( ) NO education of Bacon County to be elected by a majority vote of the people?"

All persons desiring to continue to have the chairperson elected by the people shall vote "Yes," and all persons desiring to have the chairperson appointed by the board shall vote "No."

(b) The expense of such election shall be borne by Bacon County. It shall be the duty of the election superintendent of Bacon County to certify the results thereof to the Secretary of State and to each member of the General Assembly whose senatorial or representative district lies wholly or partially within Bacon County.

(c) It is found, determined, and declared that the holding of the advisory referendum election provided for in this section is in all respects for the benefit of the people of Bacon County and is for a public purpose and is an essential governmental function for which public funds may be expended.

### **SECTION 3.**

This Act shall become effective upon its approval by the Governor or upon its becoming law without such approval.

### **SECTION 4.**

All laws and parts of laws in conflict with this Act are repealed.